

REMARKS

Reconsideration of the present application is respectfully requested. No claims have been amended, cancelled, withdrawn, or added. Therefore, claims 8-14, 38-43, 89, and 100 are presented for examination.

Examiner rejected claims 8-14, 38-43, 89, and 100 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Publication No. 2003/0212327 to Wang et al. in view of U.S. Patent Publication No. 2002/0193676 to Bodicker et al.

Applicants respectfully submit that Wang is not properly prior art to the present invention. Wang was filed November 22, 2002, and is a continuation-in-part of an application filed May 31, 2002, which is a continuation-in-part of an application filed November 19, 2001. Wang further claims priority to provisional applications filed November 24, 2000, October 3, 2001, and October 1, 2002. The present application was filed November 21, 2001.

To the extent the Office Action is understood, Applicants believe that Wang's parent application filed November 19, 2001 and the provisional applications filed 2000 and 2001, do not describe the subject matter relied upon by the Examiner in this rejection. Therefore, in accordance with MPEP 2136.03 (IV), Applicants respectfully request that the Examiner determine which of the parent applications contained the subject matter which make the reference patentable & applicable prior art to the present invention. At this point, however, Applicants respectfully submit that Wang is not properly prior art to the present invention, as its effective filing date is after the filing date of the present application. Therefore, Applicants respectfully request the withdrawal of the rejection of the claims over Wang in view of Bodicker.

Applicant respectfully submits that in view of the discussion set forth herein, the applicable rejections have been overcome. Accordingly, the present claims should be found to be in condition for allowance.

If a telephone interview would expedite the prosecution of this application, the Examiner is invited to contact Judith Szepesi at (408) 720-8300.

If there are any additional charges/credits, please charge/credit our deposit account no. 02-2666.

Respectfully submitted,
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